

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SOLOMON FARR,

No. CIV.S-05-0847 GEB DAD PS

Plaintiff,

v.

FINDINGS AND RECOMMENDATIONS

CITY OF FAIRFIELD, et al.,

Defendants.

Plaintiff, proceeding in this action pro se, initiated this action by filing an application to proceed in forma pauperis on October 4, 2004. The matter was referred to a United States Magistrate Judge by Local Rule 72-302(21) pursuant to 28 U.S.C. § 636(b)(1).

By order filed April 29, 2005, plaintiff's application to proceed in forma pauperis was granted and the Clerk of the Court was directed to file plaintiff's complaint and open this matter as a civil action. In addition, plaintiff was directed to submit the necessary materials for service to the United States Marshal within thirty days.

1 Although it appears from the file that plaintiff's copy of  
2 the order was returned as undeliverable on May 6, 2005, plaintiff was  
3 properly served. It is the plaintiff's responsibility to keep the  
4 court apprised of his current address at all times. Pursuant to Local  
5 Rule 83-182(f), service of documents at the record address of the  
6 party is fully effective. Accordingly, the court HEREBY RECOMMENDS  
7 that this action be dismissed without prejudice. See L.R. 11-110;  
8 Fed. R. Civ. P. 41(b).

9 These findings and recommendations are submitted to the  
10 United States District Judge assigned to the case, pursuant to the  
11 provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being  
12 served with these findings and recommendations, plaintiff may file  
13 written objections with the court. Such a document should be  
14 captioned "Objections to Magistrate Judge's Findings and  
15 Recommendations." Plaintiff is advised that failure to file  
16 objections within the specified time may waive the right to appeal the  
17 District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir.  
18 1991).

19 DATED: June 6, 2005.

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21 \_\_\_\_\_  
22 DALE A. DROZD  
23 UNITED STATES MAGISTRATE JUDGE

23 DAD:lg  
24 ddadl/orders.prose/farr0847.f&r.dism  
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